

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

HOMEWOOD COMPANY, L.L.C.

PLAINTIFF

V.

CIVIL ACTION NO. 3:05CV718WHG-AGN

SUTHERLAND LUMBER & HOME CENTER, INC. DEFENDANT/COUNTER-PLAINTIFF

V.

HOMEWOOD COMPANY, L.L.C.
and KANE DITTO, an individual

COUNTER-DEFENDANTS

ORDER OF DISMISSAL

THIS DAY came on for hearing the joint *ore tenus* motion of the parties for dismissal of this civil action with prejudice, and the Court, being informed that the parties have reached a full and complete settlement of this matter, and otherwise being fully advised in the premises, finds that the Motion is well taken and should be granted.

IT IS, THEREFORE, ORDERED AND ADJUDGED that this civil action shall be dismissed with prejudice, with each party to bear its own costs. The Court shall retain jurisdiction for the purposes of enforcing the terms of the settlement agreement reached herein.

This, the 6th day of July, 2006.

s/William H. Barbour, Jr.
UNITED STATES DISTRICT JUDGE

s/W. Whitaker Rayner
Counsel for Plaintiff, Counter-Defendants

s/Clyde X. Copeland, III
Counsel for Defendant, Counter-Plaintiff